

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1959 OF 2007

Dilip S. Abraham ...Petitioner

Versus

Julie Dilip Abraham ...Respondent

Shri N.V.Vechalekar for the Petitioner.
Shri K.Babu Rajan for the Respondent.

CORAM : ABHAY S.OKA, J.
DATED : APRIL 09, 2007.

P.C.:

1. Heard Advocate appearing for the Petitioner. The Petitioner is the husband and the Respondent is the wife. By order dated 04th October, 2006 the learned Judge of the Family Court has passed following direction:

"1. The application is allowed partly.

2. The petitioner is directed to produce the passport and birth certificate of the child Priyanka for delivering the same to the respondent on the next date and as soon as he obtains the birth certificate".

2. The Petitioner applied for review of the said

order. There was a delay in filing the Application for review. The Application for condonation of delay has been rejected by the learned Judge of the Family Court.

3. I have heard the learned Advocate for the Petitioner on merits of the order dated 04th October, 2006. As of today, the custody of the minor child is with the Respondent-wife. By order dated 04th October, 2006, the Petitioner-husband is directed to produce the passport for delivering the same to the Respondent. He has been directed to produce the birth certificate of the child as and when he obtains the same.

4. As the custody of the minor child is with the Respondent, the learned Judge of the Family Court was justified in passing an order directing the Petitioner to produce the passport so that the same can be handed over in the custody of the Respondent. No fault can be found with the impugned order dated 04th October, 2006. The learned Judge of the Family Court has protected the Petitioner in so far as disclosure of national/social security number is concerned.

5. There is no merit in the Petition and the same is rejected.

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JUDGE